

# **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/(954) 797-1101  
Prepared by: Bradley Swing, AICP, Planner II

**SUBJECT:** Resolution  
DG 11-1-02 Young World Plat, 3400-3580 S. University Drive/Generally located at the northeast corner of the intersection of University Drive and SW 35 Street.

**AFFECTED DISTRICT:** District 2

## **TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "YOUNG WORLD PLAT", AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Petitioner is requesting to amend the restrictive note on the "Young World Plat" (124-34) from "this plat is restricted to 27,000 square feet of auto dealership and 66,750 square feet of self-storage on Parcel A" to "this plat is restricted to 27,000 square feet of classroom and 66,750 square feet of self-storage on Parcel A".

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site and has no objection to the request.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** None

**FISCAL IMPACT:** None

**RECOMMENDATION:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachments:** Resolution, Planning Report, Plat, Future Land Use Map, Subject site Zoning and Aerial Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "YOUNG WORLD PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as Young World Plat was recorded in the public records of Broward County in Plat Book 124 Page 43; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note shown on the Young World Plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning & Zoning Division Staff**  
**Report and Recommendation**

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**APPLICANT INFORMATION**

<b><u>Owner:</u></b>	<b><u>Agent:</u></b>
<b>Name:</b> Morse Operations, Inc c/o Les Stevens, Esq.	<b>Name:</b> Ruden, McClosky, Smith Schuster & Russell, P.A.
<b>Address:</b> 6363 NW 6 Way, Suite 420	<b>Address:</b> 200 East Broward Boulevard
<b>City:</b> Fort Lauderdale, FL 33309	<b>City:</b> Fort Lauderdale, FL 33302
<b>Phone:</b> (954) 776-6200	<b>Phone:</b> (954) 761-2913

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**BACKGROUND INFORMATION**

**Application History:** No deferrals have been requested.

**Application Request:** Petitioner is requesting to amend the restrictive note on the "Young World Plat" (124-34) from "this plat is restricted to 27,000 square feet of auto dealership and 66,750 square feet of self-storage on Parcel A" to "this plat is restricted to 27,000 square feet of classroom and 66,750 square feet of self-storage on Parcel A".

**Address/Location:** 3400-3580 S. University Drive/Generally located at the northeast corner of the intersection of University Drive and SW 35 Street.

**Future Land Use Plan Designation:** Regional Activity Center (RAC)

**Zoning:** B-3, Planned Business Center District

**Existing Use:** Mixed Commercial Uses

**Proposed Use:** Same

**Parcel Size (Parcel "A" only):** 9.21 acres (401,341 square feet)

	<b><u>Surrounding Uses:</u></b>	<b><u>Surrounding Land</u></b>
<b>North:</b>	Nova Southeastern Health Professional Facility	<b><u>Use Plan Designation:</u></b> Regional Activity Center
<b>South:</b>	Vacant car dealership	Regional Activity Center
<b>East:</b>	Nova Southeastern University	Regional Activity Center
<b>West:</b>	Rolling Hills Plaza/Rolling Hills Office	Commerce/Office

**Surrounding Zoning:**

**North:** CF, Community Facilities District  
**South:** B-3, Planned Business Center District and CF, Community Facilities District  
**East:** CF, Community Facilities District  
**West:** B-2, Community Business District and O, Office District

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**ZONING HISTORY**

**Related Zoning History:** On December 18, 1998, Town Council approved Ordinance No. 98-029, a land use amendment that created the Regional Activity Center.

**Previous Request on same property:** The subject plat was recorded by Broward County on August 21, 1985, Plat Book 124, Page 43 and was restricted to two hundred ninety (290) two-bedroom townhouses and 185,000 square feet of commercial use.

The plat note has been amended several times over the years to reflect changes to Parcels “A” and “C” and to accommodate expansion to Nova Southeastern University. Parcel “B” has been largely unaffected by changes to the plat notes and remains restricted to 185,000 square feet of commercial. Parcel “B” of the subject plat is a currently developed shopping center known as University Park Plaza.

In December 1995, an amendment was made for the purpose of transferring trips from the Nova University No. 1 Plat to the adjacent Young World Plat. In October 2000, another proposed plat note amendment was processed through the Town to amend the notes on the Nova University No. 1 Plat, but the proposed amendment was deemed to be unnecessary and was withdrawn at the County level.

Town Council approved a delegation request by Resolution No. 2002-48 which proposed to modify the platted vehicular access to Parcel “B” of the Young World Plat on February 21, 2002.

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**APPLICATION DETAILS**

Petitioner is requesting to amend the restrictive note on the “Young World Plat” (124-43) to reflect proposed level of development.

**Current Plat Note:** This plat is restricted to 27,000 square feet of auto dealership and 66,750 square feet of self-storage on Parcel A.

**Proposed Plat Note:** This plat is restricted to 27,000 square feet of classroom and 66,750 square feet of self-storage on Parcel A.

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**Applicable Codes and Ordinances**

Broward County Land Development Code requires Delegation Requests for plat note amendments.

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## Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

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### Comprehensive Plan Considerations

This parcel is located within the Regional Activity Center Future Land Use Plan designation adopted by Town Council in 1989.

**Planning Area:** The subject property falls within Planning Area 8. This Planning Area is the heart of Davie and is the most diverse, characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). It is bounded on the north by Nova Drive, south by Orange Drive, east by Florida's Turnpike, and west by University Drive. The planning area encompasses the downtown Davie Business District, where western theme architecture is required, the Davie Town Hall and Rodeo Arena, two large mobile home communities, and industrial land.

**Flexibility Zone:** The subject site falls within Flexibility Zone 99.

**Broward County Land Development Code:** The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

**Concurrency Considerations:** The application indicates no increase in trips on the roadway network.

**Applicable Goals, Objectives & Policies:** The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

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### Staff Analysis/Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. The proposed amendment requests the same square footage on Parcel A (93,750 square feet) with a change in use from auto dealership to classroom.

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### Staff Recommendation

**Recommendation:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

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## **Exhibits**

1. Justification letter
2. Plat
3. Future Land Use Map
4. Subject Site, Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

## **JUSTIFICATION**

### **Delegation Request to Amend the Note on the Young World Plat (104-MP-83)**

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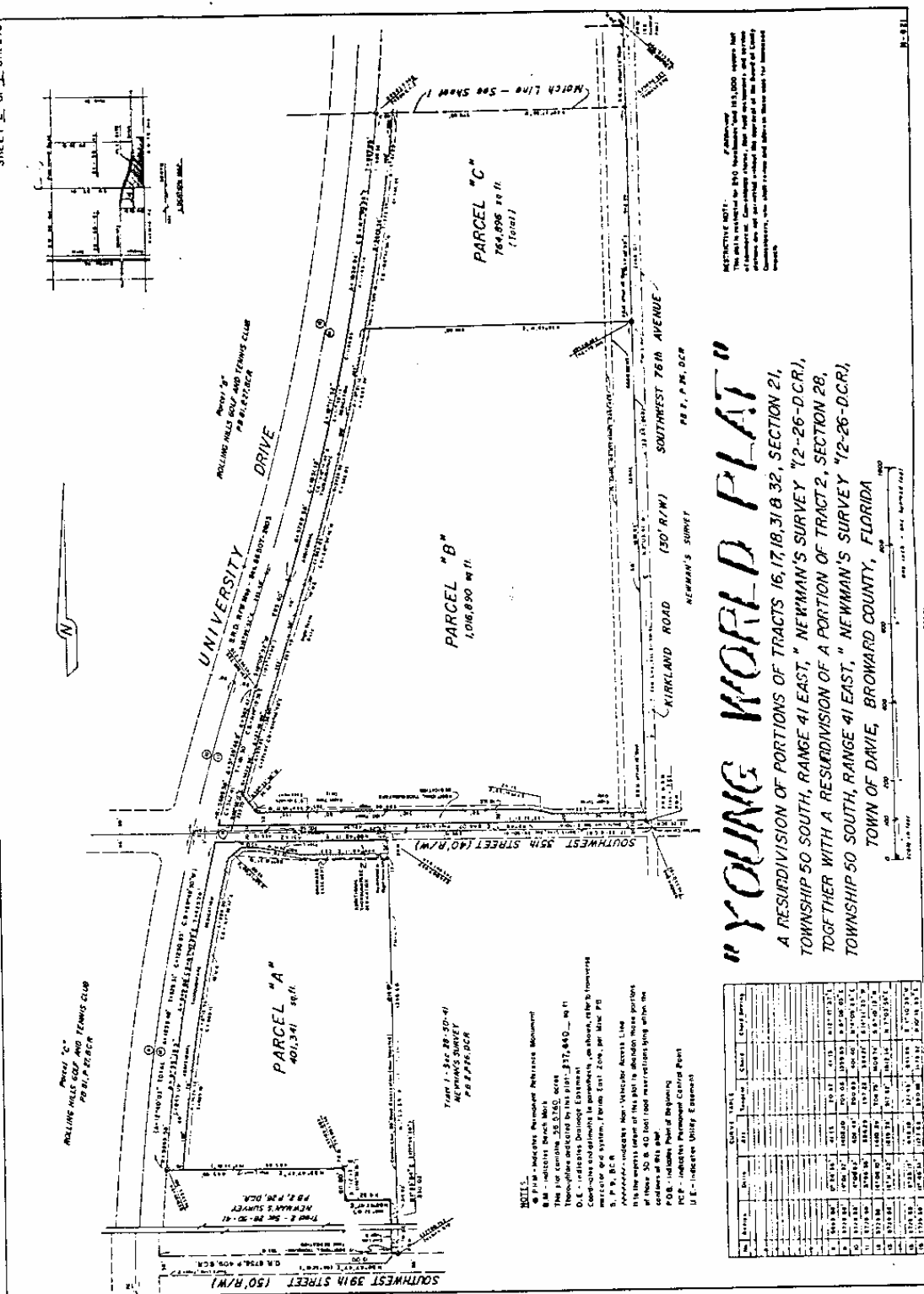
The Young World Plat ("Plat") is located on the northwest corner of S.W. 76<sup>th</sup> Avenue and S.W. 35<sup>th</sup> Street in the Town of Davie. The Plat was recorded on August 21, 1985. The Board of County Commissioners approved amendments to the plat note on January 19, 1988, June 6, 1995 and again on October 6, 1998. Pursuant to the October 6, 1998 plat note amendment, the note on the plat currently states:

*This plat is restricted to 27,000 square feet of auto dealership and 66,750 square feet of self-storage on Parcel A; 185,000 square feet of commercial use on Parcel B; and a medical facility consisting of 354,079 square feet of classroom and a 70,000 square foot clinic on Parcel C.*

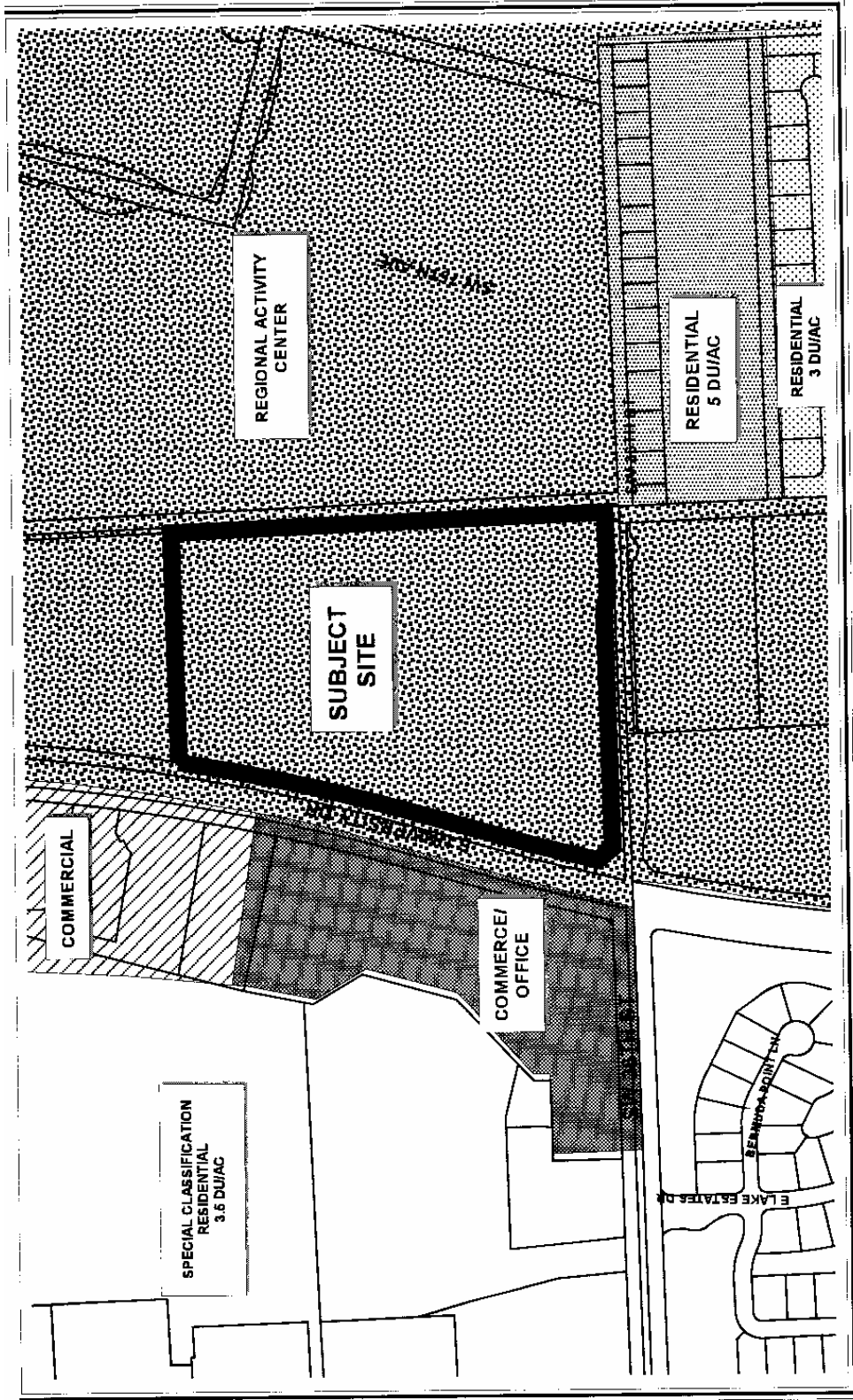
Applicant proposes to amend the foregoing restriction to place a note on the Plat as follows:

*This plat is restricted to 27,000 square feet of classroom and 66,750 square feet of self-storage on Parcel A; 185,000 square feet of commercial use on Parcel B; and a medical facility consisting of 354,079 square feet of classroom and a 70,000 square foot clinic on Parcel C.*

This amendment is requested in connection with Applicant's development of additional classroom facilities on Parcel A. Importantly, the traffic generation rates applicable to classroom uses are significantly lower than those that apply to auto dealerships.



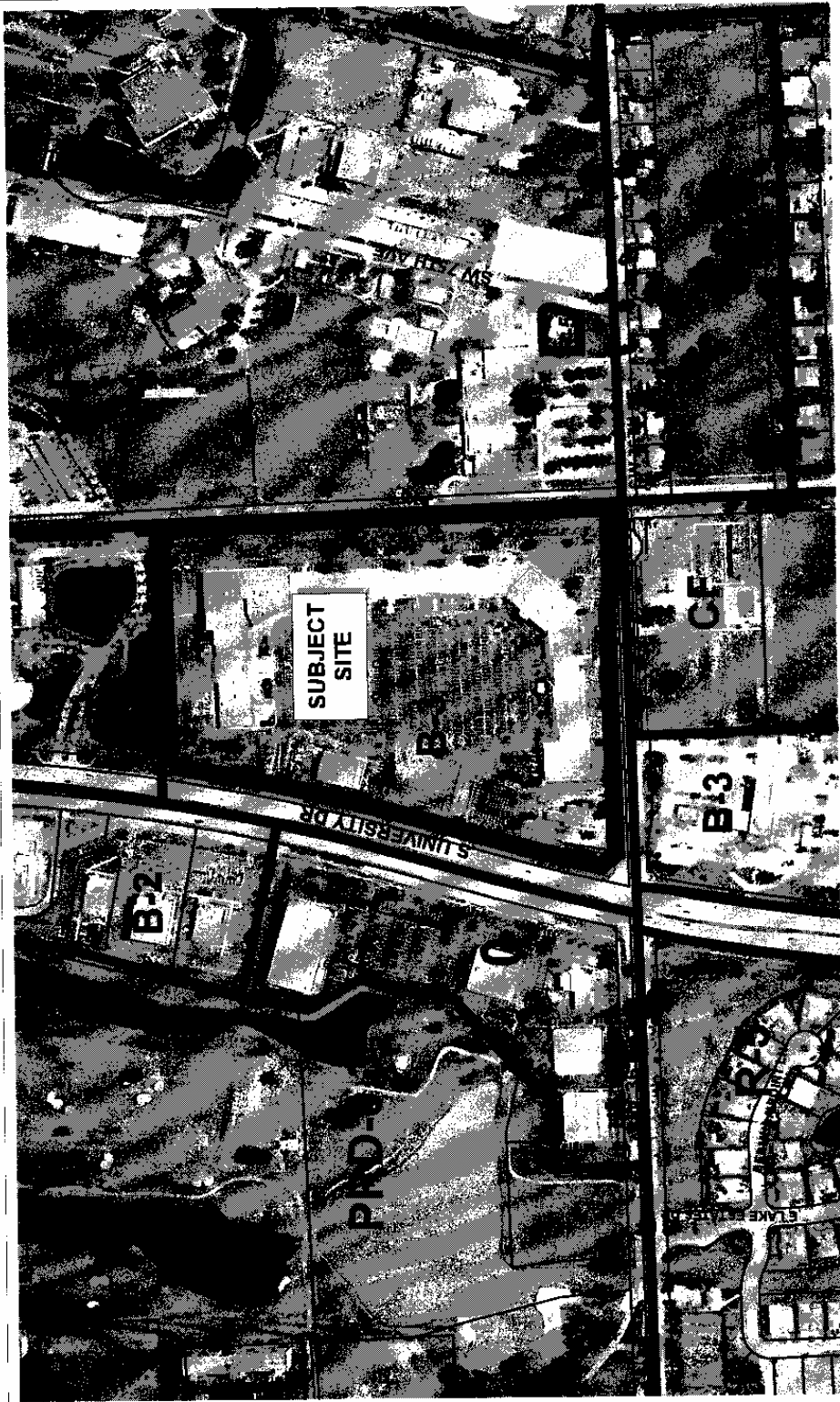




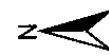
Planning & Zoning Division

# **DELEGATION REQUEST** **DG 11-1-02** **Future Land Use Map**

Prepared By: ID  
 Date Prepared: 11/7/02



Date Flown:  
12/31/00



400 0 400 Feet



Planning & Zoning Division



**DELEGATION REQUEST**  
**DG 11-1-02**  
**Zoning and Aerial Map**

Prepared By: ID  
Date Prepared: 11/7/02